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EXAMINER

LEMMA, SAMSON B

ART UNIT PAPER NUMBER

2132

DATE MAILED: 04/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/038,341

Applicant(s)

KADRI, SEEMAB ASLAM

Examiner

Samson B. Lemma

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 10 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-35 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### ***DETAILED ACTION***

1. The request filed February 10, 2006 for a request for continued examination (RCE) under 37 CFR 1.114 based on patent application 10/038,341 is acceptable and an RCE has been established. All Independent **claims 1, 11, 21 and 31** are amended and dependent claims **7,15, 22, 25, 27, 32 and 34** are also amended. No Claims **is canceled. Thus claims 1-35** are pending.

### ***Drawings***

2. Figure 1, designates a firewall 110, it is not possible for the firewall 110 to include all the features indicated inside the firewall 110 such as Tunnel 165, "internal contact point", tunnel 165, Gateway Device 150 and peers 170....170N and peers 1801.....180K as this is contrary to what the "firewall" is.

A firewall is correctly defined on applicant disclosure, on page 5, paragraph 0017 as follows. "Generally, the firewall 110 protects a network of devices or computers from intentional hostile intrusion that could compromise confidentiality or result in data corruption or denial of service. It may be a hardware device or a software program running on a secure host computer, or a combination of hardware and software. "

However a firewall can not incorporate a, tunnel 165, a gateway device 150, an internal contact point 160, N registered internal peers 170.sub.1 to 170.sub.N, and K unregistered internal peers 180.sub.1 to 180.sub.K altogether. The firewall designated as "110" on figure 1, is more resembles to a "VPN" than a "firewall".

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "110" has been used to designate a firewall however it incorporates features such as tunnel 165. Applicant is required to specifically indicate the "firewall"

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in figure 1. The corresponding specification indicating the firewall 110 in figure 1, has to be corrected accordingly.

Appropriate correction is required.

### ***Response to Arguments***

3. Applicant's argument filed on February 09, 2006 has been fully considered but are not persuasive.

Applicant argued that the reference on the record namely Traversat (U.S. Publication number: 2002/0143855A1) fails to teach the newly added limitation, **"the internal peer being registered internally inside the firewall."** Applicant further argued that Traversat fails to teach the limitation, "a distributor coupled to the collector to distribute the message to the registered internal peer if there is a match in address information of the message and the registered internal peers." **Examiner disagrees.**

**Examiner would point out** that the limitation recited above, "the internal peer being registered internally **inside the firewall**" raised a question since applicant had not explicitly points out the "firewall" in the figure 1.

The disclosure page 4, paragraph 0011, recites the following, "the internal contact point may also include a register to register the internal peer for external communication **across the firewall**". However this limitation would have been different from the previous limitation if the boundary of the firewall in figure 1 is explicitly indicated. Going back to the applicant figure 1, it is not possible for the firewall 110 to include all the features indicated inside the firewall such as tunnel 165, internal contact point, Gateway Device 150 and peers 170....170N and peers 1801.....180K as this is contrary to what the "firewall" is.

A firewall is correctly defined on applicant disclosure, on page 5, paragraph 0017 as follows, "Generally, the firewall 110 protects a network of devices or computers

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from intentional hostile intrusion that could compromise confidentiality or result in data corruption or denial of service. It may be a hardware device or a software program running on a secure host computer, or a combination of hardware and software. ”

However a firewall can not incorporate a gateway device 150, an internal contact point 160, N registered internal peers 170.sub.1 to 170.sub.N, and K unregistered internal peers 180.sub.1 to 180.sub.K. and furthermore as the diagram indicated a tunnel 165. The firewall designated as “110” on figure 1, is more resembles to a “VPN” than a “firewall”.

Therefore the examiner interprets the argued limitation as **“the internal peer being registered for external communication across the firewall”** instead of “the internal peers being registered **inside** the firewall for an external communication across the firewall.

Furthermore, Examiner would point out that Travesat on paragraph 0463 discloses peer group **registration across a firewall according to one embodiment**. Peer region **212A** is shown outside of a **firewall 248** and peer region 212B is behind **or inside the firewall 248**. Peer region 212A includes a peer-to-peer platform proxy service 270 and several peers 200. In one embodiment, a peer 200 serving as a proxy peer that provides the proxy service 270. Peer region 212B includes several peers 200 behind/inside the firewall 248. At some point, peer 200D in peer region 212B may form a peer group 210. **An advertisement for the peer group 210 is registered on the proxy service 270 in the region 212A**. One or more peers 200 in region 212A is notified of the newly registered peer group 200 by the proxy service 270 which meets the limitation of **the internal peer being registered for an external communication across the firewall**.

Furthermore, Examiner would point out that **Travesat** on figure 20, reference “200D” or “200E” OR figure 21, reference “200C” or “200D” and paragraph “0033” discloses the fact that any peer in a peer group can become a relay peer therefore either of the peers inside the firewall shown on figure 20 reference

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200D or 200E or figure 21, reference 200C or 200D can be used as relay peers.

Relay peer receives message form the source peer as explained on figure 31

reference "522" and also these relay peers which is explained to be either of the

reference 200D or 200E is coupled to the other internal peer like peer "200F" as

shown on figure 25. Either of these peers first collect the message and then

routes/distributes the message to destination peers using the cached route

information as explained on figure 31, reference "524" and **this meets the**

**recitation of a collector to collect a message intended for an internal peer**

**inside a firewall as well as a distributor coupled to the collector to**

**distribute the message to the internal peer and distributing of the message**

**to the internal peer inherently includes the matching in the address**

**information of the message and the registered internal peers.**

**Examiner also asserts the fact that Traversat on paragraph 0048, discloses**

**that**, a relay peer may maintain information on routes to other peers, and assist

in relaying messages to other peers. Relay peers may maintain routing tables

which may be used in relaying messages to their destination. The relay peer may

keep information about routes that it discovers and store them in the route

table. This allows the relay peer to build a knowledge base (the route table)

about the network topology as more messages flow on the system. Route

information may include, but is not limited to, the peer identifier of the source,

the peer identifier of the destination, a time-to-live (TTL) for the route, and an

ordered sequence of gateway peer identifiers. **Like wise on paragraph 0380,**

Traversat discloses the fact that the endpoint routing protocol define a set of

request/query messages that is processed by a routing service to help a peer

route messages to its destination. When a peer is asked to send a message to a

given peer endpoint address, it looks in its local cache to determine if it has a

cached route to this peer and this meets the limitation of distributing the

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message to the registered internal peers if there is a match in address information of the message and the registered internal peers.

Therefore all the elements of the limitations of the independent claims 1,11,21 and 31 are explicitly/implicitly/inherently suggested and disclosed by the reference on the record namely Traversat.

**The next argument by the applicant is with regard to the dependent claims which are dependent on the independent claims 1, 11, 21 and 31.**

**Applicant argued that the dependent claims** which are dependent on the independent claims 1, 11, 21 and 31 are allowable for the reason that **Traversat** fail to anticipate the limitations that is argued above.

**Examiner disagrees with this argument.**

**In response to the above argument by the applicant, the examiner** asserts that the dependent claims stands and falls with independent claims.

Therefore all the elements of the limitations is explicitly/implicitly/inherently suggested and disclosed by the reference on the record in particular **Traversat** and the rejection remains valid unless the claims are further amended and successfully overcome the rejection without introducing a new matter.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international

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application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. **Claims 1-35** are rejected under 35 U.S.C. 102(e) as being anticipated by **Traversat et al.** (hereinafter referred as **Traversat** ) ( U.S. Publication number: 2002/0143855A1, **which Claims Priority from Provisional Application No 60,263573 filed on Jan 22, 2001** )
6. **As per claims 1, 11, 21 and 31** **Traversat discloses** an apparatus/method/system/a gateway device comprising: a **collector inside the firewall to collect a message intended for an internal peer inside a firewall** [figure 20, reference “200D” or “200E” OR figure 21, reference “200C” or “200D”] **via a gateway device at the firewall**, [figure 21, reference “260” or figure 20, reference “246”] **the message being transmitted by an external peer outside the firewall**; [figure 20 and 21, reference “200A” or “200B”] **the internal peer being registered for an external communication across the firewall** [Paragraph 0063] (Traversat on paragraph 0063 discloses that a peer group registration across a firewall according to one embodiment. Peer region 212A is shown outside of a firewall 248 and peer region 212B is behind or inside the firewall 248. Peer region 212A includes a peer-to-peer platform proxy service 270 and several peers 200. In one embodiment, a peer 200 serving as a proxy peer that provides the proxy service 270. Peer region 212B includes several peers 200 behind/inside the firewall 248. At some point, peer 200D in peer region 212B may form a peer group 210. An advertisement for the peer group 210 is registered on the proxy service 270 in the region 212A. One or more peers 200 in region 212A is notified of the newly registered peer group 200 by the

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proxy service 270 which meets the limitation of the internal peer being registered for an external communication across the firewall.)

**and a distributor coupled to the collector to distribute the message to the internal peer if there is a match in address information of the message and the registered internal peer.** [figure 20, reference "200D" or "200E" OR figure 21, reference "200C" or "200D" and paragraph 0048 and paragraph 0380 ] (As explained on paragraph "0033" any peer in a peer group can become a relay peer therefore either of the peers inside the firewall shown on figure 20 reference 200D or 200E or figure 21, reference 200C or 200D can be used as relay peers. Relay peer receives message form the source peer as explained on figure 31 reference "522" and also these relay peers which is explained to be either of the reference 200D or 200E is coupled to the other internal peer like peer "200F" as shown on figure 25. Either of these peers first collect the message and then routes/distributes the message to destination peers using the cached route information as explained on figure 31, reference "524" and this meets the recitation of a collector to collect a message intended for an internal peer inside a firewall as well as a distributor coupled to the collector to distribute the message to the internal peer **and the distributing of the message to the internal peer inherently includes the matching in the address information of the message and the registered internal peers.** Likewise, Traversat on paragraph 0048, discloses that, a relay peer may maintain information on routes to other peers, and assist in relaying messages to other peers. Relay peers may maintain routing tables which may be used in relaying messages to their destination. The relay peer may keep information about routes that it discovers and store them in the route table. This allows the relay peer to build a knowledge base (the route table) about the network topology as more messages flow on the system. Route information may include, but is not limited to, the peer identifier of the source, the peer identifier of the destination, a time-to-live (TTL) for the route, and an ordered sequence

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of gateway peer identifiers. Furthermore on paragraph 0380, Traversat discloses the fact that the endpoint routing protocol define a set of request/query messages that is processed by a routing service to help a peer route messages to its destination. When a peer is asked to send a message to a given peer endpoint address, it looks in its local cache to determine if it has a cached route to this peer and this meets the limitation of distributing the message to the registered internal peers if there is a match in address information of the message and the registered internal peers.)

7. **As per claims 2,12, 22 and 32** Traversat discloses an apparatus/method/system/ a gateway device as applied to claims above. Furthermore **Tranversat** discloses an apparatus/method/system further comprising: a gateway interface to interface internally to the firewall to the gateway device. [Figure 21, reference "260"]

8. **As per claims 3,13, 23** Traversat discloses an apparatus/method/system/ as applied to claims above. Furthermore **Tranversat** discloses an apparatus/method/system wherein the gateway interface establishes a continuous connection to a relay server outside the firewall through tunneling.[Page 37, reference "0456"] ( Peers 200A and 200B may access peers 200D and 200E through firewall 248.

In one embodiment, HTTP "tunnels" may be used, with proxies 246 in the "DMZ" of the firewall 248.)

9. **As per claims 4-5, 14-15 and 24-25** Traversat discloses an apparatus/method/system/ as applied to claims above. Furthermore **Traversat** discloses an apparatus/method/system wherein the collector registers to the relay server to act as an external contact point for the external peer. [Page 23, paragraph

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“0292”] (A rendezvous peer may be described as a meeting point where peers and/or peer groups may register to be discovered, and may also discover other peers and/or peer groups, and retrieve information on discovered peers and/or peer groups.)

10. **As per claims 6, 16, 26 and 33** Traversat discloses an apparatus/method/system/ as applied to claims above. Furthermore **Traversat** discloses an apparatus/method/system wherein the gateway device is one of a firewall and a network translation address (NAT) device. [figure 21, reference “260”]

11. **As per claims 7-8, 17-18, 27-28 and 34** Traversat discloses an apparatus/method/system/ as applied to claims above. Furthermore **Traversat** discloses an apparatus/method/system further comprising: a registrar to register the internal peer for external communication across the firewall. [Figure 25]

12. **As per claims 9, 19 and 29** Traversat discloses an apparatus/method/system/ as applied to claims above. Furthermore **Traversat** discloses an apparatus/method/system wherein the collector collects an internal message from a registered internal peer.[figure 21, reference “200C” and Page 23, paragraph “0292”] to be transmitted to the external peer. [Figure 21, reference “200A” or “200B”]

13. **As per claims 10, 20 and 30** Traversat discloses an apparatus/method/system/ as applied to claims above. Furthermore **Traversat** discloses an apparatus/method/system wherein the distributor [figure 21, reference “200C” or reference “200D”] distributes the collected internal message to the external peer [Figure 21, reference “ 200A”, or reference “200B”] via the gateway device.[Figure 21, reference “260”]

14. **As per claim 35** Traversat discloses gateway device as applied to claims above. Furthermore **Traversat** discloses the gateway device further comprising: a relay

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server [figure 25, reference "270"] **(As explained on paragraph "0033" any peer in a peer group can become a relay peer, therefore the proxy service shown on figure 25, reference "270" can act as a relay server)** to interface to a number of external peers outside the firewall. [figure 25, references "200A-200C"] **[the proxy service/relay server interfaces with a number of external peers outside the firewall as shown on figure 25, references 200A, 200B and 200C]**

### **Conclusion**

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Samson B Lemma whose telephone number is 571-272-3806. The examiner can normally be reached on Monday-Friday (8:00 am---4: 30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, BARRON JR GILBERTO can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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*S.L.*

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